

# Mortgage Record, No. 81, Madison County, Iowa

JENKINS-BERGEMANN & CO. WATERLOO, IOWA—NO. 6051

Corperation by authority of its Board of Directors, , and tne said Jos J. Brus and Smith Blackman acknowledged the execution of said instrument to be the voluntary act and deed of said Corporation, by each of them voluntarily executed.

WITNESS my hand and notarial seal the day and year last above written.

Hermine L. Engelbach.  
NOTARY PUBLIC IN AND FOR SCOTT COUNTY, IOWA

Lucy Clausen, et al :  
to Mortgage.  
Walter Benz : \$1292 Fee \$1.60

Filed for record on the 18<sup>th</sup> day of May,  
A. D. 1927 at 8:00 A. M.  
Gladys B. De Vault, Recorder.

## REAL ESTATE MORTGAGE.

KNOW ALL MEN BY THESE PRESENTS:

THAT Lucy Clausen, single, of the County of Madisen and State of Iowa; Ferdinand N. Clausen and Minnie Clausen, his wife, of Hyea County, State of Minnesota; Clara C. Happel and -- Theo. Happel, her husband, of Linn County, State of Iowa,; Ida C. Jobst and Bert Jobst, her husband, of Madison County, State of Iowa; Ella Stearns and Earl Stearns, her husband, of Clay County, State of Iowa; and Lucy Clausen, Guardian of Christine Clausen, Anna Clausen, and Margaret Clausen, Minors, by virtue of an order of the District Court of Iowa in and for Madison County entered on the 5<sup>th</sup> day of May, A. D. 1927, parties of the first part in consideration of-----Six Thousand & 00/100 -----(\$6,000.00) Dollars, the receipt whereof is hereby acknowledged in hand paid by -----Walter Benz----- of the County of Madison and State of Iowa, party of the second part, do by these presents GRANT, BARGAIN, SELL and CONVEY unto the said party of the second part, his heirs and assigns forever the following described real estate, lying and being situated in the County of Madison and State of Iowa, to-wit:-

The North Half (N $\frac{1}{2}$ ) of the Northwest Quarter (NW $\frac{1}{4}$ ); and the Southeast quarter (SE $\frac{1}{4}$ ) of the Northwest Quarter (NW $\frac{1}{4}$ ), all in Section Nine (9), Township Seventy-seven (77) North, Range Twenty-nine (29), West of the Fifth P. M. in Madison County, Iowa.

TO HAVE AND TO HOLD The premises above described with all the appurtenances thereunto belonging unto the said second party and to his heirs and assigns forever. The said parties of the first part hereby covenant that the above described premises are free from any incumbrances except as above stated and that they will WARRANT and DEFEND the title unto the said party of the second part, his heirs and assigns, against all persons whomsoever lawfully claiming the same; Provided always, and these presents are upon the express condition, that if the said Lucy Clausen, Ferdinand Clausen, Minnie Clausen, Clara C. Happel, Theo Happel, Ida C. Jobst, Bert Jobst, Ella Stearns, Earl Stearns and Lucy Clausen, Guardian of Christine Clausen, Anna Clausen and Margaret Clausen, Minors, their heirs, executors, administrators, assigns, or successors shall pay the said- - - - - Walter Benz- - - - - his heirs, executors, administrators or assigns, the sum of SIX THOUSAND & 00/100 - - - (\$6,000.00) Dollars, on the 1st day of May, 1932, with interest thereon payable annually at the rate of five (5%) per cent per annum according to the tenor and effect of the one promissory note of said Lucy Clausen, Ferdinand Clausen, Minnie Clausen, Clara C. Happel- - Theo Happel, Ida C. Jobst, Bert Jobst, Ella Stearns, Earl Stearns and Lucy Clausen, Guardian of Christine Clausen, Anna Clausen and Margaret Clausen, Minors, payable to said Walter Benz, or order and bearing date even herewith then these presents to be void, otherwise to remain in full force.

The grantors herein further agree to keep the building s on said foregoing described premises insured against fire and lightening and windstorms, tornadoes and cyclones

For Assignment of Annuity Mortgage see  
Mortgage Record 85 Page 388  
For Assignment of Annuity Mortgage see  
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to a reasonable amount in some company satisfactory to the grantee herein, his executors administrators, or assigns, and payable in case of loss to such grantee, his executors, administrators, or assigns, as his or their interest may appear; the grantors also further agree to pay all taxes or assessments levied on said described premises when the same shall be due and before the same or any part thereof shall become delinquent. In default of the grantors to provide such insurance or to pay such taxes or assessments when due then the grantee herein, his executors, administrators or assigns, may procure such insurance, or pay pay such taxes or assessments or either and shall receive 8 per cent interest payable semi-annually on all such payments from the date thereof and this mortgage shall stand as security for all such payments for insurance, taxes, assessments or interest thereon as above, and all unpaid interest hereunder; or upon any such default of the grantors herein to provide such insurance or to pay such taxes or assessments or any interest there on/ to pay any part of said principal debt secured hereby or any part of the interest there on, when due, the grantee, his executors, administrators, or assigns may declare all sums secured hereby immediately due and payable and may proceed by foreclosure, or in any other lawful mode to collect such amount with all costs, including a reasonable attorney's fee for plaintiff's attorney. All unpaid interest shall bear 8 per cent interest per annum. payable semi-annually from the time when due, and that on the commencement of an action to foreclose this mortgage, the Plaintiff therein shall be entitled to the appointment of a receiver, with the usual powers to take and hold such rents and profits for the benefit of the plaintiff and subject to the order of the court. Cancellation hereof to be at mortgagor's expense.

The said Minnie Clausen, Theo Happel, Bert Jobst and Earl Stearns hereby relinquish their right of dower in the foregoing described real estate, subject to the above reservations and conditions.

Signed by the parties of the first part this 16th day of April, A. D., 1927.

Lucy Clausen.  
Ferdinand Clausen.  
Minnie Clausen.  
Clara C. Happel  
Theo. Happel

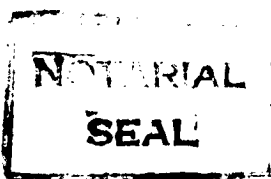
Ida Jobst.  
Bert Jobst.  
Ella Stearns.  
Earl Stearns.  
Lucy Clausen,  
Guardian of Christine Clausen, Anna  
Clausen and Margaret Clausen, Minors.

STATE OF IOWA, DALLAS COUNTY, SS:

On this 29th day of April, A. D., 1927, before me Allen T. Percy, a Notary Public in and for said county, personally appeared Lucy Clausen, single; Ida C. Jobst and Bert Jobst, her husband, to me known to be the identical persons named in and who executed the foregoing instrument and whose names are affixed thereto as grantors and acknowledged that they executed the same as their voluntary act and deed.

MADE under my hand and seal of office the day and year last above written.

Allen T. Percy.  
Notary Public in and for said County.



(See next page for additional acknowledgments)

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# Mortgage Record, No. 81, Madison County, Iowa

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STATE OF IOWA, DALLAS COUNTY, SS:

On this 10<sup>th</sup> day of May, A. D. 1927, before me, Allen T. Percy, a Notary Public, in and for said county, personally appeared Lucy Clausen, Guardian of Christine Clausen, Anna Clausen and Margaret Clausen, Minors, to me known to be the identical person named in and who executed the foregoing instrument and whose name is affixed thereto as grantor and acknowledged that she executed the same as her voluntary act and deed as such guardian.

NOTARIAL  
SEAL

MADE under my hand and seal of office the day and year last above written.

Allen T. Percy.  
Notary Public in and for said County.

STATE OF MINNESOTA, LYON COUNTY, SS:

On this 19th day of April, A. D. 1927, before me, a Notary Public in and for said county personally appeared Ferdinand E. Clausen and Minnie Clausen, his wife, to me known to be the identical persons named in and who executed the foregoing instrument and whose names are affixed thereto as grantors and acknowledged that they executed the same as their voluntary act and deed.

NOTARIAL  
SEAL

MADE under my hand and seal of office the day and year last above written.

J. M. Shrader.  
Notary Public in and for said County.  
My Commission expires Nov. 22nd, 1920.

STATE OF IOWA, BENTON COUNTY, SS:

On this 26 day of April, A. D. 1927, before me, a Notary Public in and for said County, personally appeared Clara C. Happel and Theo. Happel, her husband, to me known to be the identical persons named in and who executed the foregoing instrument and whose names are affixed thereto as grantors and acknowledged that they executed the same as their voluntary act and deed.

NOTARIAL  
SEAL

MADE under my hand and seal of office the day and year last above written.

Henry Alden  
Notary Public in and for said County.

STATE OF IOWA, CLAY COUNTY? SS:

On this 22 day of April, A. D. 1927, before me a Notary Public in and for said County, personally appeared Ella Stearns and Earl Stearns, her husband, to me known to be the identical persons named in and who executed the foregoing instrument and whose names are affixed thereto as grantors and acknowledged that they executed the same as their voluntary act and deed.

NOTARIAL  
SEAL

MADE under my hand and seal of office the day and year last above written.

L. Arbitter.  
Notary Public in and for said County.

STATE OF IOWA,  
ss:  
Madison County,

The foregoing mortgage this day was returned into Court for approval, and it appearing to the Court that we had complied with the requirements of law and the orders of this Court in making the mortgage it is ordered by the Court that said mortgage be and the same is approved and confirmed, and by direction of said Court, the said approval is hereby certified and endorsed hereon by the undersigned.

Witness my hand and seal this 10th day of May, A. D. 1927.

(DISTRICT COURT SEAL)

C. E. Spurgin.  
Clerk of the District Court.